

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LaBARBERA, et al.,

Plaintiffs,

-against-

ITALCO CONTRACTING, INC.,

Defendant.
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HURLEY, District Judge:

On October 7, 2005, this Court granted Plaintiffs' motion for an entry of default judgment against the Defendant in the above-captioned case, and referred the case to U.S. Magistrate Judge William D. Wall, pursuant to 28 U.S.C. § 636(b)(3), for a report and recommendation as to damages and attorney's fees. On February 24, 2006, Judge Wall issued a Report and Recommendation that Plaintiffs be awarded \$33,578.58 in additional contributions, \$3,769.28 in interest on those contributions, \$6,715.72 in liquidated damages, and \$3,268.25 in attorney's fees and costs, for a total judgment of \$47,331.83. More than ten days have elapsed since Judge Wall issued his Report and Recommendation, and neither party has filed any objections to it.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, this Court adopts the February 24, 2006 Report and Recommendation of Judge Wall as if set forth herein. Upon entry of judgment, the Clerk of

ORDER

04-CV-2189 (DRH) (WDW)

the Court is directed to close this case.

SO ORDERED.

Dated: Central Islip, N.Y.
March 16, 2006

/s/

Denis R. Hurley,
United States District Judge